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Dangers in 'freedom of information'

by STANSFIELD TURNER

LAST year, the Central Intelligence Agency received 4,172 requests for information under F.O.I.A. (the Freedom of Information Act), the Privacy Act, and Executive Order 12065 on national security information.

By the end of the year, 3,617 of those requests had been answered, at a cost of nearly \$3 million for 116 man-years of effort. That amounts to about \$820 each. All but \$9,216 was borne by the taxpayer.

Rather than opening our society, the Freedom of Information Act, when applied to intelligence information, often leaves the citizen frustrated at the time it takes to meet a request, and disappointed at the results.

Despite our most sincere efforts to live up to the spirit as well as the letter of the law, we are unable to satisfy most requests for information.

This is not at all due to an unwillingness to do so, but to the need to comply with other laws that direct us to protect national secrets. The most important of those secrets concerns how we gain access to intelligence information and from whom.

Clearly, if through F.O.I.A. we released data on collection techniques, either technical or human, those techniques would soon be compromised and thereafter useless. Journalists understand this. Witness the number who have been willing to go to jail rather than reveal their sources.

It is neither desirable nor possible to make intelligence agencies responsive to the people as a whole, if at the same time they are expected to do their job effectively.

Instead, intelligence agencies should continue to be responsive to the people through their elected and appointed government officials. Tremendous progress has been made in the past few years in establishing new oversight mechanisms that guarantee to the public that intelligence agencies are under control and are being held accountable for what they do.

Finally, does F.O.I.A. make our nation stronger? Unfortunately, the law has encouraged the erroneous perception that intelligence agencies cannot withhold national security information from the

public.

As noted above, this is not the case, since we must by law protect sensitive security data. Still, as long as this idea persists, we are likely to lose sources of information. This perception has been created largely by the distortions in the press, where F.O.I.A.-obtained fragments of documents have been embellished with conjecture to produce sensational but misleading or fallacious stories.

Foreign persons and agencies become understandably reluctant to share information that might damage their own efforts if publicized, if they believe that we may be forced to release such information through F.O.I.A. Potential intelligence sources question our ability to protect their identity. Sources not found and developed today will affect U.S. intelligence efforts 15 or more years from now. No one can judge the impact this may have.

Under these new laws, U.S. citizens and permanent resident aliens may cast a wide net to obtain information about themselves and may request the declassification and release of any information. In addition, anyone, of any nationality, may request any executive-branch document that he can reasonably describe.

The requests we receive are often very broad, sometimes vague, and occasionally capricious. They range from a request for all records on underground newspapers — over 500 titles were given — to the lady who asked for any records on her dog; to one from an insurance salesman asking for the names of all C.I.A. employees so that they could be contacted to sell them policies; to one for personal records on an individual, ostensibly from that individual but found to be from a would-be blackmailer; to a request from a high-school civics teacher who wrote to warn us that he was requiring all his students to make an F.O.I.A. request just to show them how the system works.

I question whether taxpayers' money should be spent on any searches of these kinds.

Then there are requests from people like Philip Agee, who has vowed to try to destroy the C.I.A., an established arm of the government authorized by Congress and supported by the people.

Yet, the people have had to pay for 5½ man-years of effort, so far, to help Agee try to undo a duly constituted organ of our government.

I fully support the concept of freedom of information. The public has a right to know in general terms what their intelligence agencies are doing. But the scope of laws should be narrowed so that the taxpayer does not have to pay so much for so little in return, and so our security is not threatened, as it inevitably is, when it is perceived by some that we are powerless to keep national secrets.

We want to share with the public as much as we can, but we prefer not to have to respond to a lot of fishing expeditions. Let's leave fishing to the fishermen, and keep our nation's secrets just that — secret.



Adm. Stansfield Turner (ret.), director of the Central Intelligence Agency, is today's guest columnist while George Anne Geyer is on vacation.